

see. It is obvious we have to do things like the line-item veto.

Some people on the other side of the aisle allege that the line-item veto destabilizes the balance between the executive and legislative branches, but so many States have it. They are great laboratories to review. I do not believe anybody in our country remembers waking up and reading about any State of the Union becoming unglued or destabilized or taken to the brink of ruin over the contest between an executive and legislative branch over the authority to have a line-item veto.

This is a very sensible process that will help establish fiscal order.

I remember years ago when I was running for the U.S. Senate, in fact on other occasions, people said, "Well, you only want the line-item veto because over the recent generations, the Presidents have been Republican." I said at the time, "I am going to support the line-item veto no matter who the Chief Executive is because it is sensible and reasonable."

I find a certain irony that I would be in this capital city watching a new Republican majority fighting the Democrat minority to give a Democrat President the line-item veto. What an irony. I would think both sides of the aisle would be embracing this idea. It is their President. He is a Democrat, and I am just absolutely baffled that we find the other side of the aisle throwing barriers and tacks in the road as we try to put in place this very sensible rule that President Clinton campaigned on and said he was going to fight for.

I think I just heard Senator MCCAIN read a letter from the President indicating his support for the strongest version. You would think, Mr. President, we could end this debate in about a day given the fact that a majority of the Congress supports it and the President supports it and the American people support it 70 to 80 percent. But not in this city. No, sir, not in this city. In this city, the disconnect is so great, and in the light of the new majority going forth, the President of the United States asking for it, and the American people wanting it, we still have to fight our way through, just as we did on the balanced budget amendment, to try to bring this to fruition.

The Presiding Officer just came from the elections. I was there just 24 months ago. I think the Presiding Officer, like myself, recognizes that we are in the midst of a revolution, and the American people want to see some change in the capital city. They are tired of business being run as usual. Mr. President, they expect change to begin to happen here, and one of the cornerstones of this change is the line-item veto.

I hope that the other side of the aisle can somehow make a connection with what is going on in the country and it will register on them that our President, the titular head of their party, the majority, and the American people

have said now is the time for there to be a line-item veto.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator be making the request that the time of the quorum call be equally divided between the two sides?

Mr. COVERDELL. I so request.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate stand in recess until 5 p.m. this evening.

There being no objection, at 3:58 p.m., the Senate recessed until 5 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. GRAMS).

LEGISLATIVE LINE-ITEM VETO ACT

The PRESIDING OFFICER. Under the previous order, the hour of 5 p.m. having arrived, the Senate will now proceed to the consideration of S. 4, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 4) to grant the power to the President to reduce budget authority.

The Senate proceeded to consider the bill, which had been reported from the Committee on the Budget and the Committee on Governmental Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 4

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Legislative Line Item Veto Act of 1995".

SEC. 2. ENHANCEMENT OF SPENDING CONTROL BY THE PRESIDENT.

The Impoundment Control Act of 1974 is amended by adding at the end thereof the following new title:

"TITLE XI—LEGISLATIVE LINE ITEM VETO RESCISSION AUTHORITY

"PART A—LEGISLATIVE LINE ITEM VETO RESCISSION AUTHORITY

"GRANT OF AUTHORITY AND CONDITIONS

"SEC. 1101. (a) IN GENERAL.—Notwithstanding the provisions of part B of title X and subject to the provisions of part B of this title, the President may rescind all or part of any budget authority, if the President—

"(1) determines that—

"(A) such rescission would help balance the Federal budget, reduce the Federal budget deficit, or reduce the public debt;

"(B) such rescission will not impair any essential Government functions; and

"(C) such rescission will not harm the national interest; and

"(2)(A) notifies the Congress of such rescission by a special message not later than twenty calendar days (not including Saturdays, Sundays, or holidays) after the date of enactment of a regular or supplemental appropriations Act or a joint resolution making continuing appropriations providing such budget authority; or

"(B) notifies the Congress of such rescission by special message accompanying the submission of the President's budget to Congress and such rescissions have not been proposed previously for that fiscal year.

The President shall submit a separate rescission message for each appropriations bill under paragraph (2)(A).

"(b) RESCISSION EFFECTIVE UNLESS DISAPPROVED.—(1)(A) Any amount of budget authority rescinded under this title as set forth in a special message by the President shall be deemed canceled unless during the period described in subparagraph (B), a rescission disapproval bill making available all of the amount rescinded is enacted into law.

"(B) The period referred to in subparagraph (A) is—

"(i) a congressional review period of twenty calendar days of session under part B, during which Congress must complete action on the rescission disapproval bill and present such bill to the President for approval or disapproval;

"(ii) after the period provided in clause (i), an additional ten days (not including Sundays) during which the President may exercise his authority to sign or veto the rescission disapproval bill; and

"(iii) if the President vetoes the rescission disapproval bill during the period provided in clause (ii), an additional five calendar days of session after the date of the veto.

"(2) If a special message is transmitted by the President under this section during any Congress and the last session of such Congress adjourns sine die before the expiration of the period described in paragraph (1)(B), the rescission shall not take effect. The message shall be deemed to have been retransmitted on the first day of the succeeding Congress and the review period referred to in paragraph (1)(B) (with respect to such message) shall run beginning after such first day.

"DEFINITIONS

"SEC. 1102. For purposes of this title the term 'rescission disapproval bill' means a bill or joint resolution which only disapproves a rescission of budget authority, in whole, rescinded in a special message transmitted by the President under section 1101.

"DEFICIT REDUCTION

"SEC. 1103. (a) If Congress fails to disapprove a rescission of discretionary spending under this part within the period of review provided under this part, the President shall, on the day after the period has expired, reduce the discretionary spending limits under section 601 of the Congressional Budget Act of 1974 for the budget year and any outyear affected by the rescissions to reflect the amount of the rescission.

"(b) If Congress fails to disapprove a rescission of discretionary spending under this part within the period of review provided under this part, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall, on the day after the period has expired, revise levels under section 311(a) and adjust the committee allocations under section 602(a) to reflect the amount of the rescission.

"(c) If Congress fails to disapprove a rescission of direct spending under this part within the period of review provided under this part, the President shall, on the day after the period

has expired, adjust the balances for the budget year and each outyear under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 to reflect the amount of the rescission.

"PART B—CONGRESSIONAL CONSIDERATION OF LEGISLATIVE LINE ITEM VETO RESCISSIONS"

"PRESIDENTIAL SPECIAL MESSAGE"

"SEC. 1111. Whenever the President rescinds any budget authority as provided in section 1101, the President shall transmit to both Houses of Congress a special message specifying—

"(1) the amount of budget authority rescinded;

"(2) any account, department, or establishment of the Government to which such budget authority is available for obligation, and the specific project or governmental functions involved;

"(3) the reasons and justifications for the determination to rescind budget authority pursuant to section 1101(a)(1);

"(4) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the rescission; and

"(5) all facts, circumstances, and considerations relating to or bearing upon the rescission and the decision to effect the rescission, and to the maximum extent practicable, the estimated effect of the rescission upon the objects, purposes, and programs for which the budget authority is provided.

"TRANSMISSION OF MESSAGES; PUBLICATION"

"SEC. 1112. (a) DELIVERY TO HOUSE AND SENATE.—Each special message transmitted under sections 1101 and 1111 shall be transmitted to the House of Representatives and the Senate on the same day, and shall be delivered to the Clerk of the House of Representatives if the House is not in session, and to the Secretary of the Senate if the Senate is not in session. Each special message so transmitted shall be referred to the appropriate committees of the House of Representatives and the Senate. Each such message shall be printed as a document of each House.

"(b) PRINTING IN FEDERAL REGISTER.—Any special message transmitted under sections 1101 and 1111 shall be printed in the first issue of the Federal Register published after such transmittal.

"PROCEDURE IN SENATE"

"SEC. 1113. (a) REFERRAL.—(1) Any rescission disapproval bill introduced with respect to a special message shall be referred to the appropriate committees of the House of Representatives or the Senate, as the case may be.

"(2) Any rescission disapproval bill received in the Senate from the House shall be considered in the Senate pursuant to the provisions of this section.

"(b) FLOOR CONSIDERATION IN THE SENATE.—

"(1) Debate in the Senate on any rescission disapproval bill and debatable motions and appeals in connection therewith, shall be limited to not more than ten hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

"(2) Debate in the Senate on any debatable motion or appeal in connection with such a bill shall be limited to one hour, to be equally divided between, and controlled by, the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from the time under their control on the passage of the bill, allot additional time to any

Senator during the consideration of any debatable motion or appeal.

"(3) A motion to further limit debate is not debatable. A motion to recommit (except a motion to recommit with instructions to report back within a specified number of days, not to exceed one, not counting any day on which the Senate is not in session) is not in order.

"(c) POINT OF ORDER.—(1) It shall not be in order in the Senate or the House of Representatives to consider any rescission disapproval bill that relates to any matter other than the rescission of budget authority transmitted by the President under section 1101.

"(2) It shall not be in order in the Senate or the House of Representatives to consider any amendment to a rescission disapproval bill.

"(3) Paragraphs (1) and (2) may be waived or suspended in the Senate only by a vote of three-fifths of the members duly chosen and sworn."

"SEC. 1114. *This title shall cease to be effective on September 30, 2002.*"

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, it is my understanding that the Budget Committee reported out two perfecting amendments when it reported S. 4. As chairman of the Budget Committee, I have been authorized by a majority of the committee members to withdraw those committee amendments. Therefore, I do withdraw the two Budget Committee-reported amendments.

The PRESIDING OFFICER. The Senator has that right.

So the amendments were withdrawn.

Mr. DOMENICI. I thank the Chair, and I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 347

(Purpose: To provide for the separate enrollment for presentation to the President of each item of any appropriation bill and each item in any authorization bill or resolution providing direct spending or targeted tax benefits, and for other purposes)

Mr. DOLE. Mr. President, I send a substitute amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE], for himself, Mr. MCCAIN, Mr. DOMENICI, Mr. COATS, Mr. STEVENS, Mr. THOMPSON, Mr. INHOFE, Mr. ASHCROFT, Mr. BENNETT, Mr. BOND, Mr. BROWN, Mr. BURNS, Mr. CHAFEE, Mr. COCHRAN, Mr. COHEN, Mr. COVERDELL, Mr. CRAIG, Mr. D'AMATO, Mr. DEWINE, Mr. FAIRCLOTH, Mr. FRIST, Mr. GORTON, Mr. GRAMM, Mr. GRAMS, Mr. GREGG, Mr. HATCH, Mr. HELMS, Mrs. HUTCHISON, Mrs. KASSEBAUM, Mr. KEMPTHORNE, Mr. KYL, Mr. LOTT, Mr. LUGAR, Mr. MACK, Mr. MCCONNELL, Mr.

MURKOWSKI, Mr. NICKLES, Mr. PACKWOOD, Mr. PRESSLER, Mr. ROTH, Mr. SANTORUM, Mr. SHELBY, Mr. SIMPSON, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Mr. THOMAS, Mr. THURMOND, and Mr. WARNER, proposes an amendment numbered 347.

Mr. DOLE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "The Separate Enrollment and Line Item Veto Act of 1995".

SEC. 2. STRUCTURE OF LEGISLATION.

(a) APPROPRIATIONS LEGISLATION.—

(1) The Committee on Appropriations of either the House or the Senate shall not report an appropriation measure that fails to contain such level of detail on the allocation of an item of appropriation proposed by the House as is set forth in the committee report accompanying such bill.

(2) If an appropriation measure is reported to the House or Senate that fails to contain the level of detail on the allocation of an item of Appropriation as required in paragraph (1), it shall not be in order in that House to consider such measure. If a point of order under this paragraph is sustained, the measure shall be recommitted to the Committee on Appropriations of that House.

(b) AUTHORIZATION LEGISLATION.—

(1) A committee of either the House or the Senate shall not report an authorization measure that contains new direct spending or new targeted tax benefits unless such measure presents each new direct spending or new targeted tax benefit as a separate item and the accompanying committee report for that measure shall contain such level of detail as is necessary to clearly identify the allocation of new direct spending or new targeted tax benefits.

(2) If an authorization measure is reported to the House or Senate that fails to comply with paragraph (1), it shall not be in order in that House to consider such measure. If a point of order under this paragraph is sustained, the measure shall be recommitted to the committee of jurisdiction of that House.

(c) CONFERENCE REPORTS.—

(1) A committee of conference to which is committed an appropriations measure shall not file a conference report in either House that fails to contain the level of detail on the allocation of an item of appropriation as is set forth in the statement of managers accompanying that report.

(2) A committee of conference to which is committed an authorization measure shall not file a conference report in either House unless such measure presents each direct spending or targeted tax benefit as a separate item and the statement of managers accompanying that report clearly identifies each such item.

(3) If a conference report is presented to the House or Senate that fails to comply with either paragraph (1), or (2), it shall not be in order in that House to consider such conference report. If a point of order under this paragraph is sustained in the House to first consider the conference report, the measure shall be deemed recommitted to the committee of conference.

SEC. 3. WAIVERS AND APPEALS.

Any provision of section 2 may be waived or suspended in the House or Senate only by an affirmative vote of three-fifths of the Members of that House duly chosen and

sworn. An affirmative vote of three-fifths of the Members duly chosen and sworn shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under that section.

SEC. 4. SEPARATE ENROLLMENT.

(a)(1) Notwithstanding any other provision of law, when any appropriation or authorization measure passes both Houses of Congress in the same form, the Secretary of the Senate (in the case of a measure originating in the Senate) or the Clerk of the House of Representatives (in the case of a measure originating in the House of Representatives) shall cause the enrolling clerk of such House to enroll each item of such appropriation or authorization measure separately.

(2) A measure that is required to be enrolled pursuant to subsection (a)—

(A) shall be enrolled without substantive revision,

(B) shall conform in style and form to the applicable provisions of chapter 2 of title 1, United States Code (as such provisions are in effect on the date of the enactment of this Act), and

(C) shall bear the designation of the measure of which it was an item prior to such enrollment, together with such other designation as may be necessary to distinguish such measure from other measures enrolled pursuant to paragraph (1) with respect to the same measure.

(b) A measure enrolled pursuant to paragraph (1) of subsection (a) with respect to an item shall be deemed to be a bill under

Clauses 2 and 3 of Section 7 of Article 1 of the Constitution of the United States and shall be signed by the Speaker of the House and the President of the Senate, or their designees, and presented to the President for approval or disapproval (and otherwise treated for all purposes) in the manner provided for bills and joint resolutions generally.

SEC. 5. DEFINITIONS.

For purposes of this Act:

(1) The term "appropriation measure" means any general or special appropriation bill or any bill or joint resolution making supplemental, deficiency, or continuing appropriations.

(2) The term "authorization measure" means any measure other than an appropriations measure that contains a provision providing direct spending or targeted tax benefits.

(3) The term "direct spending" shall have the same meaning given to such term in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) The term "item" means—

(A) with respect to an appropriations measure—

(i) any numbered section,

(ii) any unnumbered paragraph, or

(iii) any allocation or suballocation of an appropriation, made in compliance with section 2(a), contained in a numbered section or an unnumbered paragraph; and

(B) with respect to an authorization measure—

(i) any numbered section, or,

(ii) any unnumbered paragraph,

that contains new direct spending or a new targeted tax benefit presented and identified in conformance with section 2(b).

(5) The term "targeted tax benefit" means any provision:

(A) estimated by the Joint Committee on Taxation as losing revenue within the periods specified in the most recently adopted concurrent resolution on the budget pursuant to section 301 of the Congressional Budget and Impoundment Control Act of 1974; and

(B) having the practical effect of providing more favorable tax treatment to a particular taxpayer or limited group of taxpayers when compared with other similarly situated taxpayers.

SEC. 6. EFFECTIVE DATE.

The provisions of this Act shall apply to measures passed by the Congress beginning with the date of the enactment of this Act and ending on September 30, 2000.

Mr. DOLE. Mr. President, I ask unanimous consent that the side-by-side comparison of this amendment and the Hollings-Mattingly amendment, which was brought up, I think, in 1986, and the Bradley proposal be printed in the RECORD.

There being no objection, the comparison was ordered to be printed in the RECORD, as follows:

	Dole	Hollings/Mattingly	Bradley
Scope	Any general, special appropriations bill or joint resolution making supplemental, deficiency or continuing appropriations; new direct spending; new target tax benefits.	Any general, special appropriations bill or joint resolution making supplemental, deficiency or continuing approps.	Any general or special appropriation bill or any bill or joint resolution making supplemental, deficiency, or continuing approps or any revenue bill containing a tax expenditure.
Presentation of bills	Requires that appropriations bills reported to the House and Senate contain the same level of detail on the allocation of funds as the accompanying report. Requires authorizing and Finance Committees to present new direct spending and new target tax benefits as a separate item; reports must detail those items. A point of order lies against a bill or conference report failing to detail items. A point of order may be waived by a 3/5 vote	No similar provision	No similar provision
Instructions on enrollment	Bills shall be enrolled without substantive revision, conform to provisions of 2, title 1, USC, bear a distinguishing designation and be deemed a bill under Article 1, sec. 7, clause 2 and 3.	Same	Same.
Definitions	"Items" means any numbered section or any unnumbered paragraph, or any allocation or suballocation of funds contained in a numbered or unnumbered paragraph. With respect to authorizations, item means numbered section or unnumbered paragraph that contains new direct spending or a new targeted tax benefit. "Targeted tax benefit" means any provision estimated by JCT as losing revenue within period specified by budget con. res. and having the practical effect of providing more tolerable tax treatment to a particular or limited group of taxpayers when compared to other similarly situated taxpayers. "Direct spending" as defined in section 250(c) 8 of Balanced Budget and Emergency Deficit Control Act.	"Items" means any numbered section or any unnumbered paragraph. No similar provision	"Items" means any numbered section or any unnumbered paragraph. "Tax expenditure" means a division of a bill that is scored by JCT as losing revenue over 5 years. No similar provision.

Mr. DOLE. Mr. President, I think we ought to start with some facts. The line-item veto is not about partisan politics, as the minority leader said on Friday, as I said on Friday, and as the President said today in a release. He said he wanted as strong as possible a bill and make it effective immediately.

So it is not about politics. It is about our economic future. And it is not about pitting appropriations versus entitlements. It is about subjecting all expenditures to the same scrutiny.

According to the Congressional Research Service, at least 10 Presidents since the Civil War have stated support for the line-item veto. President Clinton will be the 11th. Governors of 43 States have some form of line-item veto authority. It has the overwhelm-

ing support of the American people. It is time we came to closure on this issue here in Washington, DC.

And make no mistake about it, there have been differences of opinion about how to best design this authority. Some have backed a constitutional amendment, some enhanced rescission authority, and some separate enrollment legislation. And the substitute that I have offered today tries to build on the efforts of those on both sides of the aisle to reach a consensus after all these years of arguing.

I understand it has been suggested—I hope not—we are surprising everyone. I do not think there are many surprises left in this debate. I was reminded by the Senator from Arizona in a Republican conference just a few moments

ago we have considered different forms of the line-item veto seven times in the past 8 years. And so it is a matter that most of us have a lot of familiarity with, some more than others who have worked on it, such as the Senator from Arizona and the Senator from Indiana, the Senator from New Mexico, and others on the other side of the aisle.

I hope that we could respond quickly here and get this done this week. There is no reason not to do it this week. It is only five pages long. There is one sentence on the sixth page.

We do not have every vote on this side, I do not believe, for the amendment itself, although I must say we have improved it a lot and we have picked up a lot of support on this side.

I do think we have every vote for cloture on this side of the aisle. So it seems to me that with bipartisan support, which I expect will come, particularly with the President's strong statement today, there is no reason why we cannot complete action on this, go to conference with the House and get a really good bill.

As I have indicated, since 1985 there have been no fewer than seven efforts to enact measures to provide for the separate enrollment of bills. That is separate enrollment of bills. And in the past there have been legitimate issues raised as to whether or not appropriations measures should be the only bills subject to this new procedure.

In the view of Senators STEVENS, BRADLEY, and others, all spending should be subject to review, whether it be the expansion of an entitlement or creation of a new entitlement or creation of a new tax break. This substitute covers all three. It is going to cover everything.

Some have suggested we could never define the term "item" when you talk about line item. Our substitute tries to ensure that sufficient detail is provided in each bill so these determinations can be fairly and clearly made.

Is this substitute perfect? Probably not. There may be some good ideas on change, maybe here, maybe in the conference. But it moves us in the right direction. And in my view it does not change the balance between the legislative branch and the executive branch. Both sides have the opportunity to lay out their priorities and subject them to the review of the other branch. The President retains his authority to veto, and we retain our authority to override such a veto.

Will it put additional pressure on us to review and defend those special projects and new programs? You bet it will. That is what this debate is all about. That is what the American people expect. And, again, the American people are not Democrats and Republicans or Independents. The American people support this measure. That is what it should do, and that is what it should be about.

There has been strong bipartisan support for the line-item veto. It passed the House 294 to 134. It has been voted on in various forms in the Senate in the past and received the support of many of my colleagues on the other side of the aisle, including my colleague from Delaware, Senator BIDEN, Senator EXON from Nebraska, Senator HEFLIN from Alabama, Senator HOLLINGS from South Carolina, Senator KENNEDY from Massachusetts, Senator LEAHY from Vermont, Senator NUNN from Georgia, Senator PELL from Rhode Island, and others. In fact, I have noted—I think the Senator from New Mexico will touch on it—a vote in the Budget Committee where they had separate enrollments where I think at least five or six Democrats on the Budget Committee supported that approach.

So I just hope that we are not going to get into any political debate, that this will be a debate on the line-item veto. Certainly there are probably questions that should be raised. We have gone through one political debate in the balanced budget amendment. In my view, we do not need another one right now. There should be a vote on this measure, and it should be soon.

I think whatever way the vote comes out, the people are going to know where we stand. We know where they stand. They think they know where we stand. They believe that on this measure there will be strong bipartisan support. I happen to believe they are right, unless there is something I have not factored into this entire equation.

It is an issue we are familiar with. We have debated it. We have discussed it. We have had hearings and hearings and hearings. It seems to me now it is time to act.

I would just speak for my colleagues on this side of the aisle. I think it is safe to say 10 days ago we were sort of all over the lot. Different people had different views, and they were strongly held views. But again, by sitting down and working together—and we give credit to our staff for their help and their ideas—we have been able to come together. As I said, I think every Republican is now prepared to vote for cloture if cloture is necessary. And nearly every Republican, I think, is prepared to vote for the bill—not every Republican but nearly every one. So we have made a great deal of progress, and we believe that, as I said, now is the time to act.

I would just conclude by again specially thanking the following Senators. Certainly Senator MCCAIN has been out on this floor year after year after year after year, and when you see him coming you know it is probably about the line-item veto because he feels that strongly about it, and he is going to keep on coming. We hope this is his last trip so he can go on to something else like Social Security. This time he is going to succeed, in my view.

Senator COATS has been right there with him. They have stuck together, and they have worked and they have worked. They have had a little different view than some other of my colleagues like Senator DOMENICI from New Mexico and Senator STEVENS from Alaska, but as I have indicated, because of their dedication, because of all their efforts and the outstanding assistance we have had from the chairman of the Budget Committee, Senator DOMENICI, and Senator STEVENS, who had a lot of reservations about this, worried about having it apply to a certain amount of the appropriations—about what, 16 percent of the budget? He did not think that was going to be very effective, and he convinced a number of our colleagues—in fact, all of our colleagues—it was not very effective so we have made appropriate changes.

We believe it is a good proposal, and I hope that we would have as strong a

vote on this as we had on congressional coverage. It was 98 to 1. Or if not that strong, maybe as strong as the unfunded mandates bill that passed the Senate 86 to 10. This should be another one of those measures where we come together and we vote and the American people are the beneficiaries.

Mr. DASCHLE. Mr. President, I have listened to the words of our majority leader. The first thought that comes to mind is what a difference a year makes. I do not recall how many times over the course of the last couple of years our Republican colleagues would come to the floor and criticize, sometimes bitterly, the majority leader at the time for laying a bill down that nobody on the other side had seen, a bill that in their view did not have hearings, or a bill that was not the subject of any negotiations between Republicans and Democrats.

I can recall on health care being held for weeks and months, simply because there was a very complicated piece of legislation that they said ought to be examined, needed to be looked through, and needed to be thoughtfully considered.

The times have changed and the situation is different than it was a year ago. This is a different piece of legislation, but the issue is the same. There ought to be overwhelming bipartisan support for a line-item veto. I do not think there is any serious debate about that. Democrats and Republicans want a line-item veto. I think there is broad, bipartisan support for the concept of a line-item veto.

The majority leader says that he hopes we can get bipartisan support for this proposal. But I guess I have to ask how badly they want bipartisan support when we have not been involved in these negotiations; we have not had any opportunity to see this provision until it has now been laid down. There have been no discussions with Democrats with regard to this particular proposal. So if, indeed, there is a true desire for bipartisan cooperation, that is an unfortunate way to make that fact known.

The majority leader also made the comment that this proposal will submit all expenditures to line-item veto—all expenditures. I hope that is accurate. As I understand it, there is a question about "all" expenditures. That is one reason I think it will be very helpful for us to have the opportunity to talk through, think through, and work through this legislation pertaining to an "item." As I understand it, some of the tax provisions that may be on the list of priorities for our colleagues on the Republican side include capital gains, but I am told capital gains and a number of other tax provisions that will clearly be defined as expenditures—in this case, tax expenditures—would not be included in this particular provision of the bill. So we will have to take a good look at whether everything is on the table or not.

What we do know is this: Two pieces of legislation passed through the Budget Committee and the Governmental Affairs Committee. They were the subject of hearings. They were the subject of a markup. We had a good debate, and they were presented to the floor in a way that is the accepted practice here in the Senate. And we now know those bills and all the work the committees have done apparently is for naught. That is not going to be considered here. What is going to be considered is some compromise—that has generated a good deal of support on the other side—that we have not seen. There have been no hearings. There was no markup. There was no opportunity for committees to even consider this particular piece of legislation, at least this year.

The majority leader indicates that this has been a proposal that has been around since 1985. Nearly half of the current membership of the Senate was not here in 1985 and have not had the opportunity to consider a proposal which would involve the individual enrollment of every single line item before it is sent to the President.

That, too, reminds me of the comments made last year about the paperwork involved with the 1,300-page health bill. They felt we ought to be able to reduce all that paperwork and send something simple to the President. Now we have some colleagues who are saying we do not want to send something simple, we want to send something complicated. We do not want to send something short, we want to send something that may involve 2,000 or 3,000 pages.

We will have a good debate about all of this, but I do urge all of my colleagues to take great care before they make any decisions about whether this legislation is what the Senate wants to sign into law; before we make any conclusions as to whether everything is on the table; whether this is the most practical; whether, indeed, there is opportunity for bipartisan support for this particular version.

What I hope will not happen is that we will be told to accept this version or no version at all; that we either take this or we are not going to have a line-item veto. I hope that does not happen because, as I said, I think there is very strong support for the concept of a line-item veto. Simply to say it is this one or nothing certainly does not reflect what I hope will be the opportunities we have to work together on a whole range of issues. We should not be told that it is this or nothing, that there is no other version that is acceptable when so many Members on both sides of the aisle have supported other versions, have supported other approaches, and might have ways in which to improve even this particular piece of legislation.

So I know that all of my colleagues on this side of the aisle will look with great interest at the provisions of this bill and will have more to say as the days this week unfold. Certainly it will

be my hope as well that we could finish this week. There is no reason why, given the broad amount of support, that we could not finish. But part of whether or not we finish depends on the degree to which there is genuine cooperation, genuine interest in bipartisanship, and whether we have an ability to better understand what some of these concepts actually include.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, let me say the distribution of time and the management of the bill on this side will be by the Senator from Arizona, Senator MCCAIN, or his designee.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, before the majority leader leaves the floor I want to thank him for his leadership on this bill, without which we could not have come together with the differing views that were strongly held by very respected members of the Republican conference. I would like to thank him, in his leadership, for making the 54 Members on this side committed to voting for cloture, and I think making what was a very difficult situation just a few days ago, the enactment of line-item veto, very possible.

Also, I might add that the chief of staff of the majority leader, Sheila Burke, did an enormous amount of work, many hours of meetings and writing specific language. I would like to thank her for all she did in this effort. I would also like to thank Senator DOMENICI. I would also like to thank Senator STEVENS. I would also like to thank my partner, Senator COATS, who has labored with me for so long on this issue.

Mr. President, I will not talk a long time because I know Senator COATS would like to make some remarks and also Senator DOMENICI, who really knows the details of many of these issues. I know Senator DOMENICI will spend a little bit of time talking about the specific tax provisions, since he has many years of experience on that aspect of the bill.

I would just like to say in response to the minority leader—and I appreciate his remarks, and I appreciate his willingness to look at this legislation. I hope he and other Members on the other side of the aisle will heed the President's message that he wants and he wants soon a very strong line-item veto bill; the strongest, in the words of the President of the United States.

There will be a question about constitutionality. We will have opinions of respected constitutional scholars about the constitutionality of an enrolled item and an enrolled bill. We will be able to, I think, satisfy the concerns of the Members of this body about that.

I think there will be questions raised about the degree that the targeted tax benefits—how much that encompasses. I think we will be able to respond to that.

I look forward to a debate on the merits of this issue. I look forward to a debate that clearly will clear the way for expressing the will of the people. Some 83 percent of the American people, in the last poll that I saw, support giving the President the line-item veto.

I want to return to one fundamental fact before I turn to the Senator from Indiana for a few remarks. Mr. President, in 1974, the deficit was minuscule, the debt was very small. In 1974, the Budget Impoundment Act was passed, which deprived the President of the United States of the authority to impound funds. At that time, from that time on, the deficit and the debt, the annual deficit and the debt, exploded.

In 1974, our deficit was \$6.135 billion. In 1994, it was \$203 billion. In 1974, the accumulated debt of nearly 200 years of American history was \$483 billion. It is now projected in 1996 to be \$5.2 trillion. That did not happen by accident. It is because we shifted the balance of power away from the executive branch to the legislative branch. Mr. President, none of us can in good conscience lay a \$5.2 trillion debt on our children and grandchildren. We cannot do it. It is time we brought it to a halt.

I want to finally say that we cannot balance the budget with a line-item veto alone. I have no doubt or question about that. But we also cannot balance the budget without a line-item veto authority in the hands of the President of the United States.

We will have a lot more to say in the next few days. I want to thank again the majority leader. My friend from New Mexico, who has a great deal of expertise, perhaps more than anyone in this body on these issues, I appreciate his assistance in bringing about this final conclusion.

Mr. President, I yield whatever time he may consume to the Senator from Indiana and then yield whatever time he may consume to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, it is probably a little premature to be offering congratulations since we are just taking up the bill. But let me say that there has been an extraordinary amount of hard work, effort, and negotiation that has gone into this product that the majority leader, Senator DOLE, just proposed.

Individuals have held strong feelings and strong convictions about what line-item veto means and how it ought to be defined. It is the product of many, many years of involvement of the various individuals in attempting to find ways to deal with a budget that almost seems intractable, to deal with a structural change in the way that the Congress does business, and in attempting to come up with a piece of legislation which is bringing divergent interests—by the way all of those interests trying to reach the same goal but just by different means. To bring

them together on one piece of legislation has not been easy. But because the individuals involved are committed to the final goal, because they are committed to the principle that we have to be stewards of the taxpayer dollars, wise stewards, and that we have to make every possible effort on behalf of the constituents we represent and the taxpayers who get up every Monday morning, who haul off to work and put in an honest day's work for an honest day's pay, because we have a commitment to make sure that they do not have to send \$1 more than is necessary to Washington to perform the functions of the Federal Government as defined by the Constitution, as defined by what we determine are our vital national interests, we set aside some of our reservations and some of our concerns, and said, despite our ideas about which path we should take, let us make sure we get to the goal line on this.

There are a lot of people that deserve a lot of credit, starting with the majority leader, who has pulled us together on a number of occasions, keeps us in the same room around the same table, refuses to give up, and keeps providing leadership that we need to function as a party to bring legislation forward that has the support of our party.

Credit goes to Senator MCCAIN who has been tireless. Anybody who knows Senator MCCAIN knows that word "tireless" as defined in the dictionary has a new meaning. He has a dogged persistence, has had a dogged persistence and has one now, to pursue this effort, who will not take no for an answer. He has been a great support and great help and inspiration to me as I have engaged in this process as I have been in the Senate. It has been a pleasure to be a partner with him.

As I said, I believe, on Friday, sometimes you define character, and I use the foxhole test. If I am surrounded by the enemy and need somebody with me in the foxhole, Senator MCCAIN is someone I would like to go shoulder to shoulder with. So I appreciate his efforts.

Senator DOMENICI has been tireless in his efforts to work with us and to try to achieve a final solution to this question of whether or not we can put a bill together that can enjoy broad Republican support. He has done that. He has made available his expert staff, Bill Hoagland, and others. I hate to start giving staff too much credit because their work is just starting and there is a long road to go. But Senator MCCAIN's staff and my staff, Senator STEVENS', Senator DOMENICI's, and Senator DOLE's staffs, and others who have worked on this have just put an extraordinary amount of time and effort into it.

Senator DOMENICI has worked with us in defining some of the ways in which this would impact the way we spend money, the way we apply taxes, new programs, how new direct spending and entitlement spending takes place. He

has provided an expertise to us. It has been invaluable.

Senator STEVENS was a catalyst for expanding this legislation to make sure that the line-item veto did not just apply to the narrow little slice of the budget, but applied to a broader part of the budget. It is fairer to do it that way, but it also accomplishes more of our purpose and our goal. We are able to apply the principle of the line-item veto to how we make decisions about spending the taxpayer dollars and what the checks and balances will be as we move through the process. We will apply that principle to a much broader range of spending, whether they be tax expenditures or whether they be appropriations.

The Dole substitute adopts a structure for line-item veto which has bipartisan support. It requires that each item of spending and each targeted tax be separately enrolled. The President may approve or veto these items. But it utilizes two important principles:

First, the key principle, for which Senator MCCAIN and I have fought so long, that is a real veto requiring two-thirds of the Congress to override, to make it tough to pork-barrel spend, whether it is tax pork or spending pork, appropriations pork;

Second, it embodies principles which have been advocated by key leaders on the Democrat side of the aisle, individuals like Senator HOLLINGS, Senator BRADLEY, and Senator BIDEN, who have championed the very idea and principle embodied in the concept and content of the bill we are offering.

So we are not dropping something new, as the minority leader intimated. We are taking something that has been debated and discussed for a considerable amount of time by key Democrat leaders, and we are embodying in that the principle of the bill we introduced. I think that is important because it provides for key bipartisanship and, hopefully, support.

This Dole substitute has the enthusiastic support of Republicans. There are already 50 cosponsors of the bill, and we had a chance to talk to the other four Republicans to have them look at the bill. But already 50 of the 54 Republicans have signed up as cosponsors of this legislation. We hope we will get even more support from the Republicans, and we trust that we will get solid support from our friends and colleagues across the aisle.

I am enthusiastic about the opportunity that we have to bring real fiscal discipline to the budget process. We are going to be able to go after tax pork. We are going to be able to go after spending pork. We will be able to go after and define those programs.

We are bringing accountability to the work that we do. We are going to have to come down here and do what the taxpayer expects us to do, state right up front what we are doing, what it is going to cost, where the money is going to be so we can make a judgment

in terms of where we stand and in terms of spending dollars.

This will be the case until this is adopted. But previous to this, it has been easy to hide items in the massive bills. I am not pointing fingers at anybody. We are all guilty. We all know we need to change the way we do business.

So, Mr. President, I am pleased to join in this effort, to be a part of this effort. I look forward to debating this effort. Hopefully, before too long, we will be able to send a piece of legislation to the President after more than 130-some years which the Presidents have been calling for. Members have been striving for, and something that I think whose time has come. It is only five pages and one line long. As the majority leader indicated, it is not going to take a whole lot of time to read and understand this bill. It is not like a 1,500-page health bill that the President dropped and then changed on a number of occasions. It is only five pages and one line long. It embodies the principles and ideas that have been debated on this floor over and over and over. They have been offered by Republicans and by Democrats. Truly, it is now supported by the President of the United States, who is calling for the toughest possible measure. I think, on that basis, we can go forward and adopt something truly meaningful and make a real structural change that will make a difference in the way this Congress does business.

I yield the floor.

Mr. DOMENICI. Mr. President, I rise in support of the Republican compromise on the line-item veto. The distinguished majority leader, Senator DOLE, has put together an amendment that finds a middle ground on this issue. I anticipate that we will need cloture to get this measure passed and I hope there is sufficient support from the other side of the aisle to bring this bill to a vote.

There are many variants of the so-called line-item veto. I think it is unfortunate that many have focused on the differences between the two approaches that Senator MCCAIN and I have offered. Both the distinguished Senator from Arizona and I want to find a procedure to expand the President's ability to extract low-priority spending from legislation.

I want to spend just a moment and talk about Senator MCCAIN's bill. I have consistently voted in favor of procedural motions to give Senator MCCAIN a vote on his enhanced rescission proposal. I made line-item veto legislation a priority for my committee and moved quickly to hold hearings and report Senator MCCAIN's bill, S. 4. Had the Budget Committee not reported this bill, it would be subject to a point of order under the Budget Act. It would have taken 60 votes to waive this point of order. By the Budget Committee's action, this point of order does not lie against this legislation. That has not been the case in the past when

Senator McCain brought this legislation to the floor in the form of an amendment to another piece of legislation.

Mr. President, I support the objectives of Senator McCain's bill, but I felt the McCain bill shifted too much power over the budget to the President and focused too much attention on just the appropriated accounts, which—excluding defense—represents less than 20 percent of total spending.

There will be a lot of discussion about the Dole amendment on this bill, but I want to focus on just three major advantages of this amendment over the McCain enhanced rescission bill.

THE DOLE AMENDMENT PROVIDES A LESS CUMBERSOME PROCESS TO OVERTURN PRESIDENTIAL RESCISSIONS

The Dole amendment requires each spending item in legislation to be enrolled as a separate bill. If the President chose to veto one of these items, each of these vetoes would be returned to Congress separately for an override.

The McCain bill provided a much more cumbersome process for Congress to override a Presidential rescission. In order to overturn Presidential rescissions under the McCain bill, the Congress would have had to overcome two hurdles.

First, each House of Congress would have had to pass a bill disapproving all of the President's rescissions for an Appropriations Act within 20 days. Since the McCain bill prohibits amendments, the Congress would be stuck with an all-or-nothing proposition. Either vote to overturn all the President's rescissions for an Appropriations Act or let every one of the President's rescissions stand. More importantly, the McCain bill's procedure did not guarantee a vote on the disapproved bill.

Even if the Congress managed to pass the disapproval bill within the narrow timeframe established by the bill, the President would veto this disapproval resolution and Congress would have to overcome the second hurdle. Each House of Congress would have to override his veto with a two-thirds vote.

Under the McCain bill, this entire process, the passage of the disapproval bill and the override of the President's veto, had to be completed in 30 days. I doubt Congress could complete all of this action within these timeframes. The result would be that Congress would never even get a chance to vote on an override of a Presidential rescission. I believe this approach implicitly and in practical terms delegated too much power to the President.

The distinguished minority leader has raised some legitimate concerns about the enrolling process envisioned in the Dole amendment. Let me say there need not be more trees cut down than are already cut down for existing appropriations bills. The Dole amendment creates the same amount of paper as now. It just is handed to the President in smaller stacks.

THE DOLE AMENDMENT APPLIES TO ALL SPENDING

The Dole amendment applies to all new spending in legislation, not just appropriations legislation. In addition, it applies to any new, very narrow, targeted tax benefits in legislation.

A line-item veto on its own cannot balance the budget. None of the line-item veto bills apply to existing entitlement law, which is the clear culprit behind the deficit. Over the next 5 years, discretionary spending, that spending which is subject to the annual appropriations process, remains essentially unchanged. Entitlement spending explodes, growing by \$334 billion, or 44 percent, over the next 5 years.

From a spending control perspective, the only portion of the budget that is under control is discretionary spending—spending that is subject to the annual appropriations process. A discretionary dollar cannot be spent unless it is approved by Congress. The Appropriations Committee must comply with caps that are enforced by 60 vote Budget Act points of order and MOB sequesters. Senator McCain's bill only applied to appropriations bills and did not apply to new entitlement spending.

Entitlement spending under existing law, on the other hand, is on automatic pilot. There is no annual review required, no caps, and no enforcement mechanism to require a reduction in existing entitlement programs. We do have a pay-as-you-go enforcement scheme that requires any new entitlement legislation to be paid for. The Dole amendment builds on that scheme by giving the President the opportunity to veto new entitlement spending in legislation.

Congress has enacted major expansions in entitlement spending in recent years. For example, President Clinton's 1993 reconciliation bill included \$25.4 billion in new entitlement spending on everything from food stamps to foreign language proficiency programs for customs officers. Under the Dole bill, this type of new entitlement spending would be enrolled separately and could be vetoed.

Mr. President, I have had trouble with the application of line-item vetoes to tax benefits. This concern stems primarily from how one defines the term "targeted tax benefits." On the other hand, I am very much aware that sometimes these items referred to as pork-barrel spending in an appropriations bill can similarly be found as pork-barrel tax benefits in a large tax bill.

The Dole amendment applies the separate enrollment discipline to those cases in which special interest provisions are tucked away in a tax bill. Under the Dole amendment, only very narrow targeted tax benefits, those provisions that benefit a defined group of taxpayers, would be subject to the separate enrollment procedures.

If a Senator does not believe that new entitlement spending or targeted tax benefits have been fully identified

in a reported tax bill, the Dole amendment provides a means by which a Senator can challenge the bill. If the Senator's point of order is sustained, the relevant committee would have to fully flush out these provisions for separate enrollment before the bill would be in order.

THE DOLE AMENDMENT PROVIDES FOR CONGRESSIONAL REVIEW

The Dole amendment sunsets this authority in 2000. We do not know how these procedures will operate in practice. With this sunset date, after 4 years of experience, Congress will have the opportunity to review this new authority and its extension. If the President abuses the new powers we give him in this bill, Congress can address these abuses when the bill comes up for reauthorization in 2000.

Mr. President, I think we should strengthen the President's ability to extract low-priority funding from legislation, but I think we need to be careful not to unduly disrupt the balance of powers among the branches.

There is no greater power of a legislative body than the power over the purse. We should be careful how much authority over the budget we delegate to the President. James Madison said it best when he wrote in *Federalist Paper No. 58*:

This power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people, for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure.

I congratulate Senator DOLE. He has found an approach that significantly expands the President's authority over spending without unduly disrupting this delicate balance of power.

Mr. President, I believe when the Members of the U.S. Senate from the Democratic side of the aisle have thoroughly examined this amendment, they will be very hard pressed to oppose it. The minority leader suggests this evening that this is some kind of a surprise because it is a full substitute for the previously reported bill or bills. That may be the case technically, Mr. President and fellow Democrats. But the truth of the matter is that every provision in this has either been voted on by the U.S. Senate or discussed thoroughly in committee.

Let me just, as I tell you what is in the bill, make sure that everybody understands what happened with reference to those provisions heretofore.

First, this bill is built around conventional, ordinary vetoes that Presidents have had the authority to do forever. It is in the Constitution. They have authority to veto bills. All we are going to do herewith reference to appropriated accounts is say that we are going to offer appropriation bills in far more detail, with far more line items, so that the President can look at a very large bill, hundreds of pages, and find all of the items listed in the enrollment process and decide if he wants

to veto some, none, or many. Just like he would veto any bill that comes before him that he does not like.

Those vetoes would come to us and in an expedited manner, we would vote "yes" or "no."

From that side of the aisle, Senators HOLLINGS, EXON, SIMON, CONRAD and ROBB—that I am certain of—have voted for this approach to line-item veto as members of the Budget Committee. When this approach came to the floor in the 1985 cycle, 58 Senators voted for it, which means at that point in the history of this Senate, there were more Democrats than Republicans, so I am certain to get to 58, a number of Democrats voted for it—the so-called Mattingly line-item veto.

Mr. President, there have been discussions from some Members on the other side who did not like the original versions of either the McCain bill or the Domenici bill, because essentially the President would package his entire rescission list and send the whole thing up here and say take it all or leave it all. Some Members on the other side of the aisle, and some on our side, had said that is unfair. We should be given an up-or-down vote on our item. Is it not interesting that that is precisely what we have come up with.

For those who believe that an item that they were for, that gets vetoed by the President in this ordinary veto manner, deserved the attention of the Senate on that item alone, because some Senators figured they might win it one item at a time, we have compromised and said, let us do it that way.

So for those Senators who think they may have some rather significant power for their project or their line item, they are going to get that presented freestanding. On the other hand, I might say, as a matter of process, that it is entirely possible that as we begin to work with this, we might ourselves, in a voluntary manner, package some of these so we would eliminate a lot of votes. But that would be strictly up to the U.S. Senate and the U.S. House.

Mr. President, that is one provision. I believe it is not new. I believe it has been thoroughly debated and voted on here, that it should come as no surprise and should not cause Members on the other side of the aisle who have regularly said they are for line-item or item veto; I do not think it should cause them too much difficulty in terms of comprehending it and making a decision rather quickly whether they are for or against it.

Second, the idea that we were limiting the scope of what could be vetoed to just the appropriated accounts, which is less than 20 percent, perhaps as low as 16 percent of the expenditures of our Government, that idea and what follows naturally from it, that you should try to expand it beyond that, is not new either. As a matter of fact, in the Budget Committee this year, the bill which I presented there had both

new entitlements or mandatory expenditures and expanded ones, subject to a line-item veto. It did not pass there, but it was thoroughly debated and because there was not bipartisan support, it got left out of the bill. But it was discussed and it is clearly understood. Any Senator that wants to broaden the scope of how we might control unneeded expenditures will have no difficulty understanding it.

It has nothing to do with existing entitlements. Nobody should fear that. It will do nothing to existing programs that are mandatory in nature. But it says during the existence of this new line-item veto legislation, if you are going to put in new entitlements or expand existing ones, the committee of jurisdiction must do it separately and put it in a separate part of the bill, enumerate it as such, and then we are making it subject to a Presidential veto as a separate piece of legislation.

I do not believe anybody ought to be worried about that. It is not easy today under the rules of the Senate and budget rules to pass new entitlements anyway. But if you choose to, they will get caught up in a thorough debate of being isolated from the rest of a big bill and looked at separately and subject to veto separately. I might add, Mr. President, the way this bill is drafted, when a major piece of legislation comes to the floor on entitlements, if the committee of jurisdiction does not separate out into separate paragraphs new ones or expanded ones, it is subject to a point of order here. A Senator can raise the issue and say let us send it back to the committee until they isolate it so it may be looked at under the fine microscope of a potential line-item veto. I do not see anything wrong with that.

I believe if we are really worried about deficits and unnecessary spending, we ought to do that. Mr. President, there will be some on the other side of the aisle and perhaps some on this side who would say we are not for including entitlements unless you include tax breaks that are targeted and of special interest. I am not now speaking about tax law changes of general application. I am not speaking of capital gains, of a rate decrease for everyone. I am not speaking of those that apply to a large group of people.

What we are talking about is tax breaks for a small group of people where they are being treated differently than the rest of the class that they belong to. So that if you separated out a business, but did not cover all businesses, or you separated out a company, but not companies, those kind of tax breaks are going to be subject to the exact same rules that I just defined for entitlements.

A tax bill will have to separate them out, put them in separate paragraphs, so they can also be looked at with a microscope, with the prospect of, are they really needed in the national interest or, if they are special interests, are they of such significant special in-

terest that the President should not veto them? I believe that offers the right kind of balance.

And I might suggest for those on the other side wondering what kind of bill have we wrought here tonight, we have voted on the floor of the Senate for tax expenditure inclusion within a line-item veto. In fact, Senator BRADLEY offered it. I do not know its scope, but it is not new. I do not remember precisely its scope, but my recollection is it passed. We voted on it.

And, yes, Mr. President, the Budget Committee deliberated and discussed it. Why do I know that? Because it, too, was in the alternative approach to the line-item veto that I had. So it is not new either.

If there are some who want to discuss the language and how we interpret it and can we make it more precise, obviously that is what the Senate floor and the amendment process is all about. And that provision is subject to some discussion. But I might say, for everyone that wants to broaden the scope of that, there are some who want to make it more narrow. For there are some on this side of the aisle and some on the other who do not think raising taxes is really the solution to fiscal responsibility and budget soundness.

So, this, too, is a compromise, trying to make it targeted, special interest tax breaks. And when you add that together, you have a much more powerful, much more powerful, approach to the effectiveness of a President's pen in vetoing, in an item manner, all of the things that affect the budget and the budget deficit that are of special interest or expansive in terms of increasing our deficit.

And then, last but not least, there have been some who question whether this will all work out. Are we giving Presidents, whether it is this version or other versions, too much power? We have something that ought to be taken into consideration by that kind of Senator with that kind of concern also. Because there are many of us who are not sure precisely how an item veto is going to work, even the one we have offered here on the floor. So what we have done is we have provided that this law will sunset in the year 2000. That means we will try it. We will look at it. We will observe it. And come the year 2000—that is not too many years away—we will see whether it has worked. Has it been abused? Are there loopholes in it? Is it too inclusive?

And we can pass a new one or deny Presidents in the future this authority based upon the fact that it has not worked, it has taken away too much, or it has given the President too much bargaining power, whatever the case may be.

Now some may say, "Why do you need to do that?" Remember, if we do not have that in here, then if we want to change it in the future, we have to change it in accordance with the President's desire, because, obviously, he would veto changes that he did not

want and we would be stuck with two-thirds to pass changes because we would have to override a veto.

So we have solved that problem. We will try it for a long enough period of time to make sure that it has really been given an opportunity to work and then we will trust the legislators and Presidents to decide precisely what they want to do about it after that period from now until the year 2000.

So, essentially, I say to those on the other side of the aisle, and I say this with all sincerity, I hope they will look carefully at this before they decide to try to defeat it by filibuster. Obviously, it is subject to amendment. And nobody on our side that has worked diligently to get this bill to this stage thinks that there is nothing that ought to be changed and there is nothing to talk about.

But I believe this is as close as we will ever get to a fair line-item veto that has a chance of working and that is broader than we originally conceived but fair in that respect. It is fair and will be used fairly, we hope.

So the ball is in the Democrats' court and in the President's court. Clearly, I do not think the President's support today was as specific as I hoped. But maybe by tomorrow he will support this bill.

But I will suggest that if there are some who think that the old bill which I had introduced should be revisited and perhaps the President supports it, let me set that one aside. At the National League of Cities, the President answered very different than his staff did in our Budget Committee where he said he would take either one. The President answered before the mayors and councilmen of America that he wanted the McCain amendment. So it seems to me that he wants a real veto. And that is what we have here.

While not the McCain amendment in its original form, all the changes I have described to bring many Senators on board and make it fairer and the 2000 sunset which makes it more palatable to others, but the basic philosophy seems to me to be what the President said he wanted.

So I only hope that within the next 48 hours or 72 hours, we will get a real answer. Are they for it or not? Do they want the line-item veto or not? Does the President want it or not? And I do not think it is going to take a long time for everybody to find out whether they do or do not.

I wish to thank the Republicans on our side who helped put this together. I think it is a very good piece of legislative work and it deserves to be passed. Let us hope in a few days we will give the American people the benefit of this, go to the House and give the President a line-item veto as prescribed here. I think we will all be the better for it, and the people will get what the overwhelming majority think we really ought to do as far as fiscal responsibility and not passing things

that are truly not needed by the people of this country.

I thank the Senator for yielding and I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER (Mr. INHOFE). The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank again the Senator from New Mexico whose invaluable assistance made this possible. I look forward as he fights the battle of the budget, as he brings forth within a month or two a budget that will really implement many of the savings that are absolutely necessary if we are able to achieve fiscal responsibility.

Mr. President, I intend to be relatively brief. I appreciate the remarks of the distinguished Democratic leader. I would say that this is not a new issue. This bill was introduced in the 99th Congress. Hearings were held in the committee and, as we know, the motion to proceed was filibustered. Fifty-three Members of the Senate who are here today, a majority of them were here then. This same legislation, as far as enrolled items is concerned, has been reintroduced every Congress since then. In 1990, on July 25, when the Senate was controlled by the other side, the Budget Committee favorably reported this bill. And, finally, during the 103d Congress, the Senate voted on a sense-of-the-Senate regarding this issue. So, it is not exactly a new issue.

On the subject of not being able to be consulted on bills that come up, I might remind my colleagues that this legislation—health care legislation—was introduced without hearing and without consultation with this side of the aisle just last year during the health care debate. It was known as Mitchell 3, not to be confused with Mitchell 1 and Mitchell 2, which was somewhat smaller.

Mr. President, I would suggest that an argument could be made—this being Mitchell 3 and this being the bill considered before us, five pages and one additional line—that there is a significant difference between Members trying to understand Mitchell 3, which I believe was 1,400-some pages, versus this legislation, which is five pages and one sentence in its entirety.

So I hope that my colleagues will have plenty of time to read and digest this particular five-page legislation. I hope we will be able to have a spirited but relatively brief debate so we can move on to other issues.

Finally, Mr. President, I would like to point out one fact that is true, that is absolutely true: This is a shift in power. This is a fundamental change in the way that our Government does business.

Have no doubt as to the seriousness of this issue. This will allow the President of the United States, fundamentally, to veto not only an appropriations bill but also a tax bill, increase entitlement or new entitlement. It does shift that power.

I believe that there is every opportunity for this power to be misused from time to time. I also believe, Mr. President, that a \$5.2 trillion deficit debt which is projected for next year is something that is unacceptable. We need to give back to the executive branch enough power so that we can exercise fiscal discipline, which we have been unable to do in the last 21 years since the Budget Impoundment Act was passed in 1974.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I just want to speak in favor of this bill. I am very pleased that all of the parties have come together. I want to compliment the Senator from Arizona who is on the floor now, along with the Senator from Indiana, Senator COATS, and Senator DOLE, the majority leader, for bringing everyone together and talking about this very important issue.

We failed to pass the balanced budget amendment a few weeks ago. It was a great disappointment to many of us because we felt that the balanced budget amendment would force Congress not only now but future Congresses that will meet to make sure they never spend our children's money and our grandchildren's money.

We did not pass that, but I do think there is a firm resolve among a majority of Members that we should balance the budget. One of the key tools to balancing a budget, to bringing spending under control is the line-item veto. This is a bill that will affect Democrats and Republicans alike. It is something that we ought to all come together to do, and that is to say that the President should have the right to look in a bill and determine what the priorities might be. I think the President should have a right to veto a bill without shutting down three agencies of Government, which is what the President would have to do now.

If Congress disagrees with the President's judgment, we have the ability to overturn the President, as we would overturn any veto. I think that is the right approach. I think the Senators have done a superior job to give us the tools we need to balance this budget. Even though we do not have a balanced budget amendment, we can balance the budget if we have resolve. The way to do that is to pass the line-item veto.

So I hope that all of us will put our party aside and say, "If we are going to be serious about balancing the budget of our country and doing what is right, we have to have all the tools available in the parliamentary process to do that." One of the most important is the line-item veto.

So I commend my colleagues who have worked on this. Senator McCAIN has worked on this for years, years and years. He has been very patient. He is not necessarily known for his patience but, in fact, his patience in this is going to prevail, I think, and we are going to back him up. We are going to back up the majority leader. We are going to make sure that nothing keeps the Senate from doing what is right.

They have come up with a bill that is the right approach, and I commend them for it. I will be here supporting them in every way that I can.

Thank you, Mr. President. I yield the floor.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I want to thank the Senator from Texas, an old and dear friend who I had the privilege of campaigning with across the State of Texas on several occasions.

The Senator from Texas promised the people of Texas that she would do everything in her power to get our financial house in order in Washington. She has been dedicated to that proposition. Her entire career in public service has been dedicated to that proposition. I am very appreciative that she should lend her support or advice and counsel on this very important issue.

So I want to extend my appreciation to the Senator from Texas, and also I know she will be very active in the next few days as we debate this issue. I thank the Senator.

CLOTURE MOTION

Mr. McCAIN. Mr. President, I send to the desk a motion to invoke cloture.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators in accordance with the provisions of rule XXII of the Standing Rules of the Senate do hereby move to bring to a close debate on the Dole substitute amendment to S. 4, a bill to grant the power to the President to reduce budget authority:

Bob Dole, Trent Lott, Dan Coats, Slade Gorton, R.F. Bennett, John McCain, Ted Stevens, James Inhofe, Mike DeWine, John Ashcroft, Craig Thomas, Bob Smith, Alfonse D'Amato, Mitch McConnell, Larry Pressler, Don Nickles, Pete V. Domenici.

MORNING BUSINESS

Mr. McCAIN. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for not to exceed 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE UNITED STATES-RUSSIAN SUMMIT MEETING

Mr. HELMS. Mr. President, President Clinton's decision to attend a summit meeting in Moscow in May is the latest in a series of ill-advised foreign policy actions that have been set-backs for U.S. leadership in world affairs. This one will be perceived as an implicit show of support for the policies of the Russian Government. It will be interpreted as an endorsement of: First, Russian aggression in Chechnya; second, nuclear sales to Iran; and third, meddling by Russian agents in the affairs of former Soviet Republics.

Two months ago, I had the privilege of meeting with Elena Bonner, a long-time acquaintance and courageous fighter against the tyranny of the Soviet Union during the darkest days of the cold war. Mrs. Bonner paid a much higher price than most in battling the Soviet Government. As the wife and partner of the late Andrei Sakharov she was severely harassed for years, and exiled under house arrest in a provincial Russian city. This brave lady bore the grief of watching the stress and turmoil of Soviet oppression that inflicted an early end to the life of her husband before what would have been his crowning moment—the collapse of the Soviet Union.

So why, Mr. President, was Mrs. Bonner in Washington? She came on short notice because decency demanded it. She was here to criticize the policy of the United States which has virtually ignored a degree of repression and violation of human rights in Russia that is without precedent since the time of Josef Stalin. As Mrs. Bonner recounted for me the violence and devastation in Chechnya I came to the conclusion that not only are the internal policies of the Russian Government out of control, but that United States policy toward Russia has completely lost its bearings.

Recently President Yeltsin shook the Clinton administration with his threat to renew the cold war under the guise of a cold peace. Any astute observer would have already heard this message in the many negative actions of the Russian Government before and since that threat.

Two weeks ago a spokesman for the Russian Government publicly warned President Clinton of the dire results if the President canceled the Moscow summit. The summit meeting is set to coincide with the 50th anniversary of the Russian victory over Germany in World War II. If the President canceled his visit—so goes the logic of the Russian Government—the Russians would be reminded that American forces refused to open a second front against Germany early in World War II.

Mr. President, this revisionist history comes directly from the Stalin era. According to Stalin, the United States let Russia bear the brunt of the German assault in World War II while dallying elsewhere. This lie, perpetuated by Stalin to cover his own com-

placency for devastating Russian casualties in World War II, and to deny his profane agreement with Adolf Hitler to conquer and divide Europe, has been refuted by every post-war United States administration until now. Unbelievably, the Clinton administration has not only failed to condemn this historical lie, they have agreed to commemorate it in Moscow.

If President Clinton wished to truly celebrate the 50th anniversary of victory over Germany perhaps he should go to Warsaw, where the Red Army patiently waited to press its offensive until Nazi forces exterminated the Polish anti-Communist resistance fighters. The President could visit the Baltic Nations to remember the 50-year Soviet occupation put in place by the Molotov-Ribbentrop Pact.

A Russian politician recently visiting the Foreign Relations Committee reminisced about the talent of past American Presidents in conveying a sense of warmth to the Russian people while simultaneously maintaining a principled stand against the nondemocratic Soviet Government. Through diplomacy, communications such as Radio Free Europe, and public condemnation when necessary, the United States maintained a constant pressure on the Soviet Government to respond to the interests of its own people. This message was clearly understood by the Russian people, and it won the United States the deserved reputation as a defender of their liberty. By agreeing to go to Moscow while the war rages on in Chechnya President Clinton has done great damage to that hard earned reputation.

The muted response from the United States Government to the disaster in Chechnya is in direct conflict to numerous Russian politicians with unimpeachable and consistent pro-reform credentials who oppose President Yeltsin's policy. We have failed to support the reformers in Russia. I would even argue that we have failed to support the good people of Russia—who stand 4 to 1 against this terrible civil war. Ultimately, however, we have failed ourselves. How has the U.S. Government strayed so far the principles of its people?

Mr. President, President Clinton's decision to attend hold this summit is a mistake. I regret that the President and his advisors declined to reconsider it when some of us pleaded that he not go.

HAPPY BIRTHDAY TO MOYA OLSEN LEAR

Mr. REID. Mr. President, I take this opportunity to recognize the 80th birthday of a truly remarkable Nevadan, Moya Olsen Lear. She is a bright, determined, outgoing woman, for whom I have great admiration and respect. I wish her a very happy birthday.

Moya Lear is an inspiration to all who know her. She has taught those